

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NOS. 2011-407-T, 2012-294-T, 2012-317-T, and 2012-319-T

ORDER NO. 2013-594

AUGUST 29, 2013

IN RE:	Docket No. 2011-407-T – Application of RS)	ORDER GRANTING
	Investments of Florence, LLC d/b/a RS)	REINSTATEMENT OF
	Transport for a Class C (Non-Emergency))	CERTIFICATE
	Certificate of Public Convenience and)	
	Necessity)	
)	
	Docket No. 2012-294-T – Petition of the)	
	Office of Regulatory Staff for Commission to)	
	Order a Rule to Show Cause as to Why the)	
	Certificates of Public Convenience and)	
	Necessity for Certain Motor Carriers Should)	
	Not Be Revoked for Failure to File 2011)	
	Annual Reports)	
)	
	Docket No. 2012-317-T – Petition for Rule)	
	to Show Cause of the Office of Regulatory)	
	Staff to Revoke the Certificates of Public)	
	Convenience and Necessity of Certain Motor)	
	Carriers for Failure to Maintain and File)	
	Evidence of Insurance)	
)	
	and)	
)	
	Docket No. 2012-319-T – Petition of the)	
	Office of Regulatory Staff for Commission to)	
	Order a Rule to Show Cause as to Why the)	
	Certificates of Public Convenience and)	
	Necessity for Certain Motor Carriers Should)	
	Not Be Revoked for Non-Payment of Decal)	
	Fees)	

This matter comes before the Public Service Commission of South Carolina (the “Commission”) by way of a request filed by RS Investments of Florence, LLC d/b/a RS Transport (the “Applicant”) to reinstate the Applicant’s Class C Non-Emergency Certificate of Public Convenience and Necessity No. 8502 issued to the Applicant pursuant to Commission Order No. 2011-744, dated October 19, 2011.

Petitions for Rules to Show Cause were filed by the South Carolina Office of Regulatory Staff (“ORS”) as to why the Certificates of Public Convenience and Necessity of certain carriers should not be revoked for failure to file 2011 annual reports¹, failure to maintain and file evidence of insurance², and for failure to pay decal fees³; thereby failing to comply with the statutes governing operations of motor vehicle carriers in South Carolina. The record reflects that the Applicant was listed in and served with the Rules to Show Cause for noncompliance.

For those motor carriers who had not responded to the prior notifications of noncompliance, formal hearings regarding the petitions were held on November 7, 2012. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers, including the Applicant, should be revoked and cancelled for the violation of failing to file annual reports and evidence of insurance, and failing to pay decal fees. Accordingly, the Commission issued Order No. 2012-871, Order No. 2012-872, and Order No. 2012-873, which cancelled the Applicant’s Certificate No. 8502.

¹ See Petition filed July 24, 2012, in Docket No. 2012-294-T.

² See Petition filed August 17, 2012, in Docket No. 2012-317-T.

³ See Petition filed August 22, 2012, in Docket No. 2012-319-T.

By request filed August 6, 2013, the Applicant requests that the Certificate in question be reinstated. The original Application for certification of RS Investments of Florence, LLC d/b/a RS Transport provides documentation regarding the Applicant's stated knowledge of and commitment to abide by all relevant statutes and Commission regulations.

The Commission has reviewed the case before it and, after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations, and that prior to such compliance and certification, regulated motor carrier services shall not be provided by the Applicant.

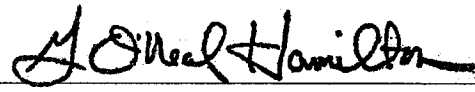
IT IS THEREFORE ORDERED:

1. That Class C Non-Emergency Certificate of Public Convenience and Necessity No. 8502 of RS Investments of Florence, LLC d/b/a RS Transport be, and hereby is, reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


G. O'Neal Hamilton, Chairman

ATTEST:


Nikiya Hall, Vice Chairman

(SEAL)